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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,031	09/11/2003	Steven Paul Jones	ROC920030161US1	5819
7590	01/24/2005		EXAMINER	
Robert R. Williams IBM Corporation - Dept. 917 3605 Highway 52 North Rochester, MN 55901			WASHBURN, DOUGLAS N	
			ART UNIT	PAPER NUMBER
			2863	

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/660,031	JONES ET AL.	
	Examiner	Art Unit	
	Douglas N Washburn	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 is/are allowed.
- 6) ☒ Claim(s) 1-4, 11, 13-15 and 17 is/are rejected.
- 7) ☒ Claim(s) 5-10, 12 and 18-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1 Claim 5-10, 12 and 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

2 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 11, 13-15 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Fisher, J; Hoyer, W; Koehler, J; Lian, R; Zongli, L; (Development of an access-by-the-internet control laboratory"; IEEE Conference on Decision and Control; Vol 3; 4-7 Dec 2001; pp 2827-2832) (Hereafter referred to as Fisher).

Fisher teaches:

Receiving user selected notification options and user selected control options in regard to claims 1 and 14

(e.g.; pp 2830 ¶ 2.3; figure 6);

Identifying a predefined event options in regard to claims 1 and 14

(e.g.; pp 2830 ¶ 2.3; figure 6);

Using user selected notification options, notifying a remote user of identified predefined event options in regard to claims 1 and 14

(e.g.; pp 2830 ¶ 2.3; figure 6);

Using user selected control options, receiving user selections for enabling the user to remotely control oscilloscope operational settings options in regard to claims 1 and 14

(e.g.; pp 2830 ¶ 2.3; figure 6);

Identifying a user selected trigger event options in regard to claim 2

(e.g.; pp 2830 ¶ 2.3; figure 6);

Identifying a predefined call in event in regard to claims 3 and 15

(e.g.; pp 2830 ¶ 2.3; figure 6);

Using user selected control options, receiving user selections for enabling the user to remotely control oscilloscope operational settings options in regard to claims 3 and 15

(e.g.; pp 2830 ¶ 2.3; figure 6);

Identifying a user entered password before receiving said user selections for enabling the user to remotely control oscilloscope operational settings options in regard to claim 4

(e.g.; pp 2831 ¶ 4.1.1);

Receiving user selections for one or more of a channel selection for the oscilloscope, a trigger level change, and a trigger edge change options in regard to claim 11

(e.g.; pp 2830 ¶ 2.3; figure 6);

Receiving user selections to change one or more of a plurality of oscilloscope settings including graphics settings and a list of commands with current settings options in regard to claim 13

(e.g.; pp 2830 ¶ 2.3; figure 6);

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Memory for storing a notification and control program, user selected notification options and notification data and user selected control options and control data options in regard to claim 17 (because memory is an inherent component of a server)

(e.g.; pp 2828 ¶ 2.1; figure 2);

A processor operatively controlled by a notification and control program for identifying a predefined event options in regard to claim 17

(e.g.; pp 2828 ¶ 2.1; figure 3);

Using user selected notification options and notification data, for notifying a remote user of identified predefined event options in regard to claim 17

(e.g.; pp 2829 ¶ 2.2.2; figure 5);

And using user selected control options and control data, for receiving user selections for enabling the user to remotely control oscilloscope operational settings options in regard to claim 17.

(e.g.; pp 2830 ¶ 2.2.2; figure 5).

Allowable Subject Matter

3 The following is an examiner's statement of reasons for allowance:

Claim 5 recites, in part, "identifying a predefined email event; accepting said email and using said user selected control options, executing command requests in said email for enabling the user to remotely control oscilloscope operational settings options". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claim 6 recites, in part, "receiving user selections of one or more of a predefined set of user selected telephone, email, and pager options, telephone numbers, email addresses, and a list of predefined items to be sent to the user options". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claim 7 recites, in part, "receiving user selections of one or more of a predefined set of telephone commands, a predefined set of email commands, a telephone password, and an email password options". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claim 8 recites, in part, "identifying a user selected telephone number, calling said user selected telephone number, and giving a message to the user including a predefined list of items options". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claim 9 recites, in part, "identifying a user selected email option, sending an email to the user including a predefined list of items options". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claim 10 recites, in part, "identifying a user selected pager option, calling a user selected pager telephone number, and sending a text message to the user options". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claim 12 recites, in part, "Receiving user selections of contact options to change one or more of a telephone number, an email list, and a pager list options". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claim 16 recites, in part, "identifying a predefined email event and using said user selected control options, executing command requests in said email for enabling the user to remotely control oscilloscope operational settings". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claim 18 recites, in part, "user selected notification options and notification data includes one or more of a predefined set of user selected telephone, email, and pager options, telephone numbers, email addresses, and a list of predefined items to be sent to the user". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claim 19 recites, in part, "user selected control options and control data includes one or more of a predefined set of telephone commands, a predefined set of email commands, a telephone password, and an email password". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claim 20 recites, in part, "processor for receiving user selections for enabling the user to remotely control oscilloscope operational settings includes said processor for receiving user selections for one or more contact options to change one or more of a telephone number, an email list, and a pager list". This feature in combination with the remaining claimed structure avoids the prior art of record.

It is these limitations, which are not found, taught or suggested in the prior art of record, and are recited in the claimed combination that makes these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

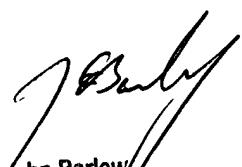
4 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas N Washburn whose telephone number is (571) 272-2284. The examiner can normally be reached on Monday through Thursday 6:30 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DNW


John Barlow
Supervisory Patent Examiner
Technology Center 2800